

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

*

v.

*

Criminal Action No. RDB-17-127

BRANDON BROWN,

*

Defendant.

*

* * * * *

MEMORANDUM ORDER

Before this Court is the Defendant Brandon Brown's *pro se* Motion for Compassionate Release (ECF No. 511). On February 28, 2018, Brown was sentenced to 66 months' imprisonment after pleading guilty to Count One from the Superseding Indictment, which charged him with conspiracy to distribute and possess with the intent to distribute cocaine base, in violation of 21 U.S.C. § 846. (ECF Nos. 339, 345, 426.) On July 28, 2020, Brown filed the pending Motion for Compassionate Release (ECF No. 511). While the Motion was pending, Brown was released. *See Find an Inmate*, FEDERAL BUREAU OF PRISONS, <https://www.bop.gov/inmateloc/#> (search by register number 62998-037).

Accordingly, the Court can no longer grant Brown's requested relief, early release from prison. "Simply stated, a case is moot when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome." *Incumaa v. Ozmint*, 507 F.3d 281, 286 (4th Cir. 2007) (quoting *Powell v. McCormack*, 395 U.S. 486, 496 (1969)).

The Fourth Circuit Court of Appeals has determined that requests for compassionate release under § 3582 are rendered moot when an inmate is released. *See United States v. Banks-Davis*, No. 21-6550, 2021 U.S. App. LEXIS 31869, 2021 WL 4936206, at *1 (4th Cir.

Oct. 22, 2021) (citing *United States v. Chestnut*, 989 F.3d 222, 224–25 (2d Cir. 2021)); *see also* *United States v. Jackson*, No. 22-7140, 2023 U.S. App. LEXIS 19100, 2023 WL 4758733, at *1 (4th Cir. July 26, 2023) (“Because Jackson has already served his term of imprisonment, there is no longer a live controversy regarding the orders denying his motions for compassionate release and for reconsideration.”).

As the Court now lacks subject matter jurisdiction to hear this matter, Defendant Brandon Brown’s *pro se* Motion for Compassionate Release (ECF No. 511) is DENIED AS MOOT. It is SO ORDERED this 24th day of July, 2024.

/s/

Richard D. Bennett
United States Senior District Judge